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01 immigration detainer pending against him. The issue of detention in this case is therefore
02 essentially moot, as the defendant would be released to immigration custody if not detained in
03 this case.

04 (3) Defendant and his counsel offer no opposition to the entry of an order of
05 detention.

06 (4) Upon advice of counsel, defendant declined to be interviewed by Pretrial Services.
07 Therefore, there is limited information available about him.

08 (5) There does not appear to be any condition or combination of conditions that will
09 reasonably assure the defendant's appearance at future Court hearings while addressing the
10 danger to other persons or the community.

11 It is therefore ORDERED:

- 12 (1) Defendant shall be detained pending trial and committed to the custody of the
13 Attorney General for confinement in a correction facility separate, to the extent
14 practicable, from persons awaiting or serving sentences or being held in custody
15 pending appeal;
- 16 (2) Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;
- 18 (3) On order of a court of the United States or on request of an attorney for the
19 Government, the person in charge of the corrections facility in which defendant
20 is confined shall deliver the defendant to a United States Marshal for the purpose
21 of an appearance in connection with a court proceeding; and
- 22 (4) The clerk shall direct copies of this Order to counsel for the United States, to

01 counsel for the defendant, to the United States Marshal, and to the United States
02 Pretrial Services Officer.

03 DATED this 20th day of October, 2009.

04 
05 Mary Alice Theiler
06 United States Magistrate Judge